

C. PROTECTIVE PAYEES

Effective July 1, 2002

WAC 388-290-0255 When can the WCCC program establish a protective payee to pay my in-home/relative provider?

The WCCC program establishes a protective payee to pay your in-home / relative provider when:

- (1) You do not pay your in-home / relative child care provider;
- (2) We issued a child care warrant to the correct address and twelve or more working days have passed since the issuance date;
- (3) You have not reported the WCCC warrant lost, stolen, or destroyed;
- (4) You have a history of failing to pay your in-home / relative provider(s); or
- (5) You have a protective payee for your TANF grant or for a Child SafetyNet Payment.

CLARIFYING INFORMATION

When Is a Protective Payee Necessary?

1. Protective payment may be necessary if the consumer is not paying the in-home/relative provider. Do not use a protective payee when payment to the in-home/relative care provider is delayed due to an emergency situation, such as illness. Evaluate the need for a protective payee when:
 - a. The in-home/relative provider reports the consumer has not paid them the DSHS subsidy and/or the copayment;
 - b. There is documentation that the consumer is misusing child care funds; or
 - c. The consumer has a documented pattern of not paying in-home providers.
2. If a WCCC applicant or consumer is currently receiving TANF and has a protective payee assigned to manage the grant, then a protective payee must also be established if they choose to use in-home / relative care.

How Is a Protective Payee Assigned?

1. Use the following steps to assign a client a protective payee:
 - a. Assess the need for a client to be assigned to protective payee status, using the Protective Payee Assessment Form - DSHS 14-349A (x).
 - b. Complete the initial Protective Payee Plan DSHS - 14-349 (X). Include the client if possible.
 - c. Assign the protective payee vendor. Allow the client to participate in this activity. Clients can suggest parties other than department approved payees to be their protective payee. In some cases, this may be the best payee for a client.
2. Assignment to a protective payee is an adverse action. Adequate notice to on-going clients must be given before assignment becomes effective.

Further information on protective payees may be found in the Eligibility A-Z Manual: Payees - C. Protective Payees.